

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

David Stephan,

Complainant,

vs.

AT&T Broadband,

Defendant.

Case 03-02-012
(Filed February 13, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING
DIRECTING COMPLAINANT, DAVID STEPHAN, TO RESPOND TO AT&T
BROADBAND'S MOTION TO DISMISS**

This complaint, Case 03-02-012, asks the Commission to resolve a dispute regarding whether AT&T Broadband (AT&T) is providing full services as advertised to the complainant, whether AT&T should replace defective equipment, and whether AT&T should provide repair service locally.

On March 28, 2003, AT&T filed its Answer, and also filed a motion asking the Commission to dismiss the complaint. Pursuant to Rule 45(f) of the Commission's Rules of Practice and Procedure, responses to written motions must be filed and served within 15 days of the date that the motion was served. Under that schedule, I expected to receive a response from the complainant, David Stephan (Stephan), on April 14, 2003, since Monday, April 14 is the first working day following the 15th day after AT&T filed its motion. To date, Stephan has not responded to AT&T's motion.

I realize that Stephan is not represented by counsel and may not be familiar with our procedures. I would like to give Stephan an opportunity to respond to AT&T's motion, if Stephan wishes to pursue his complaint. Therefore, **IT IS RULED** that David Stephan has 20 days from the date of this ruling to respond to the specific statements in AT&T Broadband's Motion to Dismiss the Complaint.

Dated May 19, 2003, at San Francisco, California.

/s/ KAREN JONES

Karen Jones
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Directing Complainant, David Stephan, to Respond to AT&T Broadband's Motion to Dismiss on all parties of record in this proceeding or their attorneys of record.

Dated May 19, 2003, at San Francisco, California.

/s/ HELEN FRIEDMAN
Helen Friedman

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

